

SECOND REGULAR SESSION

SENATE BILL NO. 1015

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR KENNEDY.

Read 1st time February 6, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

4887S.01I

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to hepatitis C testing.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto one new
2 section, to be known as section 191.647, to read as follows:

**191.647. 1. The department of health and senior services shall
2 oversee hepatitis C testing for health care providers and first
3 responders. All health care providers and first responders offered
4 employment after January 1, 2007, shall be tested for hepatitis C before
5 commencing their employment with the employer. The employer of the
6 health care provider or first responder shall pay the cost of such
7 testing.**

**8 2. Any test results obtained from such testing shall be
9 confidential and shall not be disclosed except to the health care
10 provider or first responder and to the employer's human resources
11 supervisor for inclusion in the health care provider's or first
12 responder's personnel records. Test results sent to the human
13 resources supervisor of the employer shall be sealed in an envelope
14 with the name of the health care provider or first responder, the date
15 of the test results, and the words "HEPATITIS C TEST RESULTS" noted
16 on the outside of the envelope. If a legal dispute or status of a health
17 care provider or first responder arises, the employer may, without
18 being deemed in violation of the confidentiality requirements of this
19 section, access the testing records contained in the health care
20 provider's or first responder's personnel file for the sole purpose of
21 resolving the legal dispute or employment benefits dispute.**

22 3. Notwithstanding the confidentiality requirements of the
23 hepatitis C testing authorized under this section, the department of
24 health and senior services may exercise the general authority and
25 power under section 192.020, RSMo, to intervene in instances where
26 there is reason to believe that a health care provider or first responder
27 is practicing in a manner that creates a grave and unjustifiable risk of
28 injury to others.

29 4. The provisions of sections 23.250 to 23.298, RSMo, shall not
30 apply to this section.

Unofficial

Bill

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